1: Nimuendaju E-5 (1929-1936) 1946 SOS Timbira SOS

685 The commonest form of larceny is that of women stealing one another's fruits in their plantations. If only small quantities are involved, the sufferer for the sake of harmony says nothing. Otherwise the aggrieved party, desiring to evade a quarrel with the thief, appeals to the councilors, who force the thief to make restitution or pay an indemnity. It is difficult for a native to steal undetected, for a single footprint is more damaging evidence than if he had left a visiting card. On a single occasion I overheard a woman loudly calling another names for more than five minutes, shouting over from her own house to the thief's, because of repeated plundering of the vituperator's field. Then her husband intervened to lead her indoors, which put a stop to the affair. Contrary to Ribeiro's evidence, I have never seen anyone beaten up for larceny.

685 177 As to the cattle lifting that has given the Rąmkõ'kamekra an unmerited notoriety in the state of Maranhão, a few explanatory statements are indicated. At first the cattle were killed because they were considered a palatable form of game. Later the Indians realized that the livestock was the property of their enemies, to whom they were thus able to cause damage. Still later they concluded treaties, were torn away from their habitat and their economic basis and were thus forced to steal cattle to stave off starvation in the new circumstances created by the Neobrazilians. Today the game of the country has been destroyed and driven off by the stock-breeding fazendeiros, so that when obliged, especially in connection with a tribal festival, to secure the requisite meat, the Indians have to hunt for weeks in vain. They consider themselves entitled now and then to eat some of the fazendeiros' livestock because these animals graze on Indian plantations, where they may even be deliberately driven by their owners with the intention of making life in the locality intolerable for the natives. From time to time the sertão settlers whip themselves into a moral indignation over the Indians' terrible depredations among the hard-won herds of the pitiable fazendeiros, who wear themselves to the bone year in, year out, only to see the whole produce of their labors disappear in the natives' bellies.

The worst enemy of the Rąmkõ'kamekra, José de Arruda, once set the annual number of cattle the Rąmkõ'kamekra stole from him at several hundred. I know that cattle lifting is a fact and am now in a position to gauge the damage done, which from 1928 to 1937 certainly did not exceed *six* head annually, the average being probably three to four, distributed over as many owners. Where there are no Indians, cattle theft also occurs; but within the Indian zone I have never heard a non-Indian charged with the crime.

733 177 689 A second form of crime occasioned by contact with civilization is due to intoxicants. The Brazilian criminal's eternal plea of extenuating circumstances because he had not been himself is nonsensical from the Indian point of view. However, that a man befuddled with whisky is irresponsible is obvious to the natives. At present they are familiar enough with the use of liquor, yet they are not quite clear how to reckon with misdeeds perpetrated while drunk; they vacillate between regarding the drunkard wholly unaccountable because of his condition and considering on a par crimes in sober and in intoxicated state.

As a matter of fact, crimes due to alcoholism are far less numerous than might be supposed, the following cases having come to my notice. The gravest was the rape of an immature girl by her father (p. 114), which resulted in his wife's divorcing him. In a second instance a drunken Indian rather seriously injured his wife by striking her hand with a bush-knife; but after a period of separation it was possible to reconcile the pair by calling attention to their children's interests. Otherwise, I

1: Nimuendajú E-5 (1929-1936) 1946 SO8 Timbira SO8

was told, the family of the injured wife would have demanded indemnification. Again, an intoxicated Indian kicked his wife and she was ailing for some time after; a divorce ensued, but no further consequences. In addition I noted four or five rather harmless drunken brawls. When a drunkard remains a nuisance, the chiefs have him tied unless the man's relatives have already resorted to that measure, not as a penalty but a precaution. I have never seen in any Timbira village a post to which culprits are tied by way of punishment."[207]

The damages demanded when defloration is not followed by wedlock and the attitude toward adultery have been described.

Disciplinary transgressions are punished only in the case of the lads in initiatory seclusion. During the nocturnal reunions of the pepyé in their first commandant's courtyard, the culprit was called to appear between the double line of pepyé seated along the walls, where the second commandant addressed to him a prolix rebuke. In graver cases the boy had to lift his arms and the two messenger boys administered several lashes on his back with the long, thin rods (pĩhẽre) that are their inseparable appanage. A pepyé who breaks the rule of chastity is forced to eat great quantities of Cayenne pepper. In 1933 the councilors were about to decree this penalty for Tepyét because he sneaked out of his retreat every night to visit his fiancée; but when Tepyét saw that the elders really meant to punish him, he altered his conduct in the nick of time. Among the Apą'nyekra such a culprit would be removed from his retreat and set in the plaza beside his associate in guilt, which was regarded as very ignominious.

Evil sorcerers were executed (see p. 239 f.).

The following legal principles emerge from the concrete instances: (1) Both the culprit and the aggrieved party are aided by the extended families; (2) the chiefs and councilors take pains to adjust quarrels as soon as possible; (3) for this purpose they use the services either of specially gifted persons or of the individuals linked by specially close ties to the parties involved.

Chiefs.—As indicated above, a chief does not command and punish, but is above all a peacemaker. He does not interfere in a family's private affairs, but when his decision is requested it is held binding. At the time of my visit there were three village chiefs, Ropką' (Jaguar-skin), Hąktokót, and Kukrãčą'. Ropką', the oldest, had been mamkyẽ'ti of an age-class that graduated about 1893, but his colleagues had never served in a corresponding capacity. Whenever strife threatens, the chiefs and councilors send men of recognized skill as moderators to calm a refractory tribesman.

The leader of any unit excepting the age-classes is called pa'hí, mehopa'hí, but only a village chief is hąmrén.

Chiefs exercise little political control and display a minimum of individual assertiveness, for the omnipresent ceremonial regulates most of the social life, and it is their and the council's duty to maintain the customary law rather than legislate anew. Chiefs lack badges of official status and receive not a whit more of the food offerings periodically presented in the plaza than the councilors associated with them. They work for a living precisely as any fellow tribesman. However, they do enjoy a measure of prestige, as shown by certain rules of etiquette. Thus, strangers must present themselves to one of the chiefs and explain the object of their visit; he may then either discuss the matter with his colleagues and the council at their next session or immediately call an extraordinary meeting. In the plaza a chief always sits near the center, for it would be indecorous for anyone else to seat himself in front of a chief or to turn his back upon him.

[207] As related by Pompeu Sobrinho, Merrime, 13.